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May 31, 2011

*Empowering Communities.  
Changing Lives.*

Hon. Julius Genachowski, Chairman  
Hon. Michael Copps, Commissioner  
Hon. Robert McDowell, Commissioner  
Hon. Meredith Attwell Baker, Commissioner  
Hon. Mignon Clyburn, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Dear Chairman Genachowski and Commissioners:

RE: AT&T – T-Mobile Merger, WT Docket No. 11-65

The National Urban League ("NUL") respectfully submits these Initial Comments in response to the Commission's Public Notice.<sup>[1]</sup> Therein the Commission sought assistance in fully evaluating "all substantive issues" regarding the proposed merger<sup>[2]</sup>

NUL's interest in the merger stems from its longstanding role as one of the nation's historic civil rights organizations, and the foremost urban social service and policy organization dedicated to economic empowerment. Founded in 1910 and with affiliates in approximately 98 cities which serve over 300 communities, NUL has been a leader in promoting universal broadband adoption and in advancing policies that will deliver jobs, economic empowerment, and social justice to African Americans nationwide. NUL's local affiliates administer hands-on programs that advance these goals: economic empowerment, educational opportunities, health care, and the guarantee of civil rights for African Americans.

To achieve these goals, we believe that it is in the Public Interest that the nation close the digital divide and achieve universal broadband access, adoption and informed use. It is further in the Public Interest that workforce diversity, and supplier diversity,

<sup>[1]</sup> See Public Notice, AT&T Inc. And Deutsche Telekom AG Seek FCC Consent to the Transfer of Control of the Licenses and Authorizations Held By T-Mobile USA, Inc. and Its Subsidiaries to AT&T, Inc., WT Docket No. 11-65 (rel. April 28, 2011), available at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2011/db0428/DA-11-799A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0428/DA-11-799A1.pdf) (last visited May 24, 2011).

<sup>[2]</sup> See *id.* at 3.



axioms of 21<sup>st</sup> Century Economic Growth, be enhanced by the merger. These are the benchmarks against which every major telecom merger should be evaluated.

On March 21, the NUL issued an initial statement concerning the proposed merger. Therein we stated, "the pending merger of AT&T and T-Mobile USA holds potential opportunity for an expanded, diverse workforce. We plan to carefully observe the upcoming regulatory process and look forward to a transition that is guided by AT&T's commitment to diversity and equal opportunity. We have every reason to be optimistic."

We added that "[a]s with any major corporate merger, it is paramount that as strategic decisions are made, workforce and supplier diversity should be a critical consideration."

We add that the Public Interest is augmented by business transactions which strengthen and expand workforce and supplier diversity, and thus economic opportunity.

NUL recognizes that the merger has earned the support of many labor and civil rights organizations. AT&T's Public Interest Showing contains many points that resonate with NUL: it encourages the full participation of all Americans in our digital society through job creation (pp. 56-57); supplier diversity (p. 57), and increased opportunities for broadband adoption in minority communities (pp. 59-60). As NUL has long maintained, these are exactly the key points the Commission should focus upon as the highest priorities in its own public interest analysis.

While the Commission's review of the application has just begun, we have been in fruitful discussions with AT&T regarding increased opportunities for minority business enterprises to participate in new merger related transactions, and opportunities for diverse business enterprises to participate in constructing the national 4G wireless network that will be made possible by the merger. These commitments are important elements the Commission's public interest calculus because they could encourage competition and inclusion among small, diverse businesses in telecommunications and digital entrepreneurship.

We also note that AT&T has developed an admirable record in diversity, and has a longstanding relationship with NUL, and many of its affiliates, as well as a positive relationship with many civil rights and labor organizations. Most notable is AT&T's progressive record in the supplier and workforce diversity arenas.

We further note that certain consumer groups and others have raised important concerns about the merger regarding issues that the FCC will no doubt examine as a part of its ongoing proceedings. NUL has also held its ears open to the issues raised by these parties and will continue to do so.



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At present, NUL will continue its careful fact finding through discussions with both merger applicant AT&T and other interested parties in pursuit of comprehensive reply comments to be filed with the FCC on or before June 20, 2011. In those reply comments, NUL will not only comment more specifically, but will provide a comprehensive definitive statement for the FCC's consideration as a part of its public interest examination.

Respectfully submitted,

Marc H. Morial  
President and Chief Executive Officer  
National Urban League